

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK
Albany Division

MATTHEW AVITABILE)	
)	
Plaintiff,)	
)	Civil Action No. 1:16-cv-1447 (DNH/CFH)
v.)	
)	
LT. COL. GEORGE BEACH, in his official))	
Capacity as the Superintendent of the New))	
York State Police)	
)	
Defendant.)	
_____)	

STIPULATION OF DISMISSAL AS TO DEFENDANT
DISTRICT ATTORNEY SACKET WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii) and L.R. 41.3, Plaintiff and Defendant District Attorney James Sacket hereby stipulate to the dismissal of this action as to Defendant District Attorney James Sacket without prejudice. No party hereto is an infant or incompetent.

Dated: November 6, 2017.

Respectfully submitted,

Counsel for Plaintiffs

/s/ Stephen D. Stamboulieh

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SO ORDERED: _____
Hon. David N. Hurd, U.S.D.J.

DATED: _____, 2017